

REGULAR CITY COUNCIL MEETING
MARCH 10, 1980

PRESENT

Leland J. Roper	Mayor and Presiding
Max Bennett	Councilman
Don Bird	Councilman
Cecil Losee	Councilman
Thomas Callister	Councilman
Willis Morrison	Councilman

ABSENT

Dorothy Jeffery

OTHERS PRESENT

Neil Forster	City Superintendent
Rita Byrd	City Clerk
Warren Peterson	City Attorney
Eric DeHaan	City Engineer
Jeff Petersen	City Resident
Gayle Bunker	Bunker and Sons Const.
Gary Bunker	Bunker and Sons Const.
Bob Pendray	Pendray Const.
Jack Grayson	Grayson Const.

Mayor Roper being present called the meeting to order at 7:00 p.m. Rita Byrd being present acted as secretary.

The Mayor stated the meeting was a regularly called meeting and that notice of the time, place and agenda of the meeting had been posted at the principal office of the governing body and had been provided the Millard County Chronicle and to each member of the governing body by mailing copies of the "Notice and Agenda" two (2) days before to each of them.

MINUTES

Minutes of a Regular Council Meeting held March 03, 1980 were presented for approval. MOTION WAS MADE BY COUNCILMAN MAX BENNETT, SECONDED BY COUNCILMAN THOMAS CALLISTER TO ACCEPT THE MINUTES OF THE MARCH 03, 1980 COUNCIL MEETING. MOTION CARRIED.

ACCOUNTS PAYABLE

Bills for current period were presented by Superintendent Forster for approval. They were approved upon a MOTION BY

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COUNCILMAN LOSEE, SECONDED BY COUNCILMAN BIRD AND RECEIVED THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COUNCILMEN PRESENT.

ROBERT LAW'S TRAILER COURT

After a general discussion of the trailers presently located at 93 West Main, a MOTION TO HAVE THE TRAILERS REMOVED IN APPROXIMATELY TWO (2) WEEKS WITH THE UNDERSTANDING NO OTHER TRAILERS WILL BE ALLOWED TO BE PARKED AT 93 WEST MAIN, WAS MADE BY COUNCILMAN CALLISTER, SECONDED BY COUNCILMAN MORRISON, MOTION CARRIED.

RESOLUTIONS

A RESOLUTION AUTHORIZING PUBLICATION OF THE ARTICLES OF ASSOCIATION OF THE MILLARD COMMUNITY COUNCIL AND A RESOLUTION ADOPTING THE ARTICLES OF ASSOCIATION OF THE MILLARD COMMUNITY COUNCIL, AND A RESOLUTION FORMALIZING THE FOUR COUNTY MX POLICY BOARD. RESOLUTIONS WERE SIGNED BY THE Mayor and all councilmen. The above mentioned resolutions are on file in the office of the City Recorder.

PURCHASE OF 1974 FORD

Councilman Morrison received an agreement from the County Commissioners to pay 50% of the purchase price of the 1974 Ford purchased for use of the fire department. Purchase price of the vehicle is \$1000.00, County share is \$500.00 MOTION TO APPROVE THE PURCHASE OF THE 1974 FORD FROM CONTINENTAL TELEPHONE COMPANY WAS MADE BY COUNCILMAN BENNETT, SECONDED BY COUNCILMAN BIRD. MOTION PASSED UNANIMOUSLY.

It was the decision of the council to have removed from the 1975 Chev. Police car the two (2) channel radio and light bar and have them installed in the 1974 Ford to be used by the Fire Dept. COUNCILMAN BENNETT MADE A MOTION TO HAVE THE 1975 CHEV ADVERTISED IN THE CHRONICLE FOR BID, MOTION SECONDED BY COUNCILMAN LOSEE, MOTION CARRIED.

HIRING OF DELTA CITY J.P.

Because of the time involved Mr. Gale Farnsworth has terminated his employment with Delta City as the Delta City J.P. Councilman Bennett explained to council the Millard County J.P., Mr. Sid Young would consider accepting the job until other arrangements can be made. Mr. Young has asked \$200.00 per month salary. MOTION TO HIRE SID YOUNG FOR DELTA CITY J.P. ON A TEMPORARY BASIS, SALARY TO BE SET AT \$200.00 PER MONTH WAS MADE BY COUNCILMAN BIRD, SECONDED BY COUNCILMAN CALLISTER. MOTION CARRIED.

SALVAGE AT DELTA CITY DUMP

After a general discussion of the possibility of restricting the hours at the city dump and charging a fee, it was the consensus of the council this was not feasible at this time, salvage rights were also discussed after which a MOTION TO GRANT THE SALVAGE RIGHTS AT THE DELTA CITY DUMP TO ALLEN GARDNER WAS MADE BY COUNCILMAN LOSEE. SECONDED BY COUNCILMAN BENNETT AND RECEIVED THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COUNCILMEN PRESENT. All car bodies are to be picked up from the city dump within two (2) weeks by Frank Bauer. Any car bodies not picked up within the two (2) time limits will be the property of Mr. Allen Gardner.

PROPOSED SUBDIVISION AT 286 SOUTH 300 EAST (DEVON PETERSEN)

Mayor Roper explained to Council that a building permit had been issued to Jeffery Peterson which was not in accordance with the present subdivision ordinance. His home will be the third home in that block to be built and would normally require the lot owner to proceed under the subdivision ordinance requirements.

A general discussion followed regarding whether a variance should be issued or whether the present ordinance should be amended to allow him to build outside the subdivision ordinance.

A discussion was held and the suggestion made that Attorney Peterson would take care of the item now in the subdivision ordinance for single home builders which would include a determination of at what point he subdivision ordinance would be enforced in the future.

Attorney Peterson suggested that a covenant could be made which would become a lien against the property insuring that the land owner would agree to join an improvement district when one was formed.

Subdividers Bob Pendray and Gary and Gayle Bunker were asked for their input. They were all in agreement with this suggestion.

Attorney Peterson suggested that Mr. Peterson be granted a variance condition to all three land owners involved signing an agreement to join an improvement district when it is formed.

COUNCILMAN WILLIS MORRISON SO MOVED, COUNCILMAN THOMAS CALLISTER SECONDED THE MOTION. Mayor Roper called for a roll-call vote on the motion, voting was as follows:

Councilman Callister	Aye
Councilman Bird	Aye
Councilman Losee	Aye
Councilman Morrison	Aye
Councilman Bennett	Aye

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The aforementioned agreement was signed by the parties involved.

Future variance requests should go to the Planning/Zoning Commission for their recommendations with the final decision being made by the Council.

ENGINEER FEES FOR CONSTRUCTION STANDARDS BOOK

City Engineer Eric DeHaan explained the format of the Construction Standards Book to Council. He suggested that three (3) copies of the book could be left in the city building for one week. After that time, whatever changes deemed justified could be made and a second printing made to be distributed to contractors for their perusal for another week. Then a meeting could be scheduled for all interested parties to discuss their input. The resulting recommendation could be brought to City Council for approval to adopt the standards into the building ordinances.

It was felt that Delta City would be benefited by having a standard instead of each plan proposed having different specifications. Having the standard drawings would also be of benefit to the subdividers.

COUNCILMAN MAX BENNETT MADE A MOTION TO ACCEPT THE PROPOSED FINANCIAL AGREEMENT BETWEEN BUSH AND GUDGELL, CITY ENGINEERS, AND DELTA CITY WHICH WOULD INCLUDE THE SPECIFICATIONS UNIQUELY PERTINENT TO DELTA CITY. MOTION WAS SECONDED BY COUNCILMAN DON BIRD AND RECEIVED THE UNANIMOUS AFFIRMATIVE VOTE OF ALL COUNCILMEN PRESENT.

Willis Morrison moved to adjourn the meeting at 8:10 p.m.

Eric DeHaan had additional business to discuss with Council.

Bob Pendray asked what their status on bonding was. He questioned the amount of the bond. Council got a review from the attorney and the city engineer that an extra amount should be required to cover the lift station. Mr. Pendray disagreed.

Mr. Pendray disagreed because the left station was not included in Plat A and Plat A was already approved with sufficient bond being paid to cover it, however, he agreed to put in the extra amount even though he did not agree with the principle involved.

COUNCILMAN WILLIS MORRISON MADE A MOTION THAT MR. PENDRAY PUT IN THE EXTRA AMOUNT TO COVER THE FULL BOND. MOTION WAS SECONDED BY COUNCILMAN THOMAS CALLISTER. MOTION CARRIED.

COUNCILMAN WILLIS MORRISON MADE A MOTION TO ADJOURN. MOTION SECONDED BY COUNCILMAN BENNETT. MEETING ADJOURNED AT 9:05 P.M.

(Minutes were taken by Rita Byrd)


Leland J. Roper, Mayor

Dorothy Jeffery, City Recorder

MINUTES APPROVED: RCCM 3-17-80

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